

UNITED STATES BANKRUPTCY COURT Document

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Order Filed on July 3, 2024  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

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In Re:

**DAVID A. TOZZOLINO**  
**PATRICIA M. TOZZOLINO**

Case No.: 22-18215-CMG

Chapter 13

Judge: Christine M. Gravelle, USBJ

**ORDER AUTHORIZING  
SALE OF REAL PROPERTY**

Recommended Local Form: ☐ Followed ☒ Modified

The relief set forth on the following pages, numbered two (2) through two (2) is hereby **ORDERED**.

**DATED: July 3, 2024**

A handwritten signature in black ink, reading "Christine M. Gravelle".

Honorable Christine M. Gravelle  
United States Bankruptcy Judge

After review of the Debtors' motion for authorization to sell the real property commonly known as 631 Park Avenue, Union Beach Borough, Monmouth County, New Jersey (the Real Property),

**IT IS** hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the Contract of Sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction, the real property is not free and clear of liens. **All mortgages will be paid in full at closing as per the payoff statement to be issued by the mortgagee.**
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker at closing. Therefore the following professionals may be paid at closing.

Name of professional: Mary Gail Gallagher / Weichert Realtors Amount to be paid: not to exceed 5.0% total commission including participating realtor Services rendered: Realtor
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4. Other closing fees payable by the Debtors may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.
5. The amount of \$55,800.00 claimed as exempt may be paid to the Debtors at closing, together with any surplus funds after payment to the Chapter 13 Trustee as provided in Paragraph 6 below.
6. The sum of **\$50,500.00 must be paid to the Chapter 13 Trustee** in the Debtors' case.
7. A copy of the HUD settlement statement or Closing Disclosure Statement, whichever is provided by the settlement agent, must be forwarded to the Chapter 13 Trustee within 7 days after closing.